



## **MUNICIPALITY OF ARRAN-ELDERSLIE**

### **Council Meeting**

### **MINUTES**

**Monday, November 27, 2023, 9:00 a.m.**

**Council Chambers**

**1925 Bruce Road 10, Chesley, ON**

Council Present: Mayor Steve Hammell  
Deputy Mayor Jennifer Shaw  
Councillor Ryan Nickason  
Councillor Darryl Hampton  
Councillor Moiken Penner  
Councillor Peter Steinacker

Council Absent: Councillor Brian Dudgeon

Staff Present: Sylvia Kirkwood - CAO  
Christine Fraser-McDonald - Clerk  
Julie Hamilton - Deputy Clerk  
Scott McLeod - Public Works Manager  
Carly Steinhoff - Recreation Manager  
Pat Johnston - Chief Building Official - Present Electronically  
Steve Tiernan - Fire Chief  
Jessica Pridham - Economic Development & Communication  
Coordinator  
David Munro - Interim Treasurer

#### **1. Call to Order**

Mayor Hammell called the meeting to order at 9:30 am. A quorum was present.

#### **2. Mayor's Announcements (If Required)**

- The Mayor introduced Mike Alcock, AORS President and Director of Public Works for Morris-Turnberry and Kelly Elliot, AORS Marketing and Communications Specialist. They were in attendance present the John Gloor Memorial Trophy to Len Philippi as Driver of the Year at the AORS Provincial Safety Truck Rodeo which was held on September 20<sup>th</sup>. They also recognized Casey Hillier as the first runner up.
- December 1<sup>st</sup> is the Chesley Santa Claus Parade starting at 7:00 p.m.
- December 2<sup>nd</sup> is the Tara Santa Claus Parade starting at 7:00 p.m.

- Just a reminder that our last Council meeting of the year is December 11<sup>th</sup>.

**3. Adoption of Agenda**

Council passed the following resolution:

**322-22-2023**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Nickason

Be It Resolved that the agenda for the Council Meeting of Monday, November 27, 2023 be received and adopted, as distributed by the Clerk.

**Carried**

**4. Disclosures of Pecuniary Interest and General Nature Thereof**

None at this time.

**5. Unfinished Business**

**6. Minutes of Previous Meetings**

**6.1 November 13, 2023 Council Minutes**

Subsequent to further discussion, Council passed the following resolution:

**323-22-2023**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Steinacker

Be It Resolved that the Council of the Municipality of Arran-Elderslie adopt the minutes of the Regular Council Session held November 13, 2023.

**Carried**

**7. Business Arising from the Minutes**

**8. Minutes of Sub-Committee Meetings**

**8.1 MMEWG Minutes - September 21, 2023**

Subsequent to further discussion, Council passed the following resolution:

**324-22-2023**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Nickason

Be It Resolved that Council receives the Multi Municipal Energy Work Group Minutes of September 21,2023 for information purposes.

**Carried**

**9. Public Meeting(s)**

**9.1 Zoning By-Law Amendment File No. Z-2023-059 Becker - 88 5th Avenue SW**

Mayor Steve Hammell called the public meeting to order at 9:30 a.m. He stated that the purpose of the public meeting was to consider a proposed Zoning By-law Amendment for Tyler Becker. The property is located at 88 5th Ave S.W. in Chesley.

Rebecca Elphick, Planner for the County of Bruce, attended the meeting and presented her report.

She noted that the application proposes to rezone the property, municipally referred to as 88 5th Avenue, Chesley, from R3-3 to a site specific R3 zone to permit the development of a five-unit cluster townhouse at the rear of the property. If approved, the proposed amendment would reduce the setback between a townhouse and lot line from 7.5 to 1.5 m, reduce the minimum Gross Floor Area per unit to 75 m<sup>2</sup>, revise the definition of Cluster Townhouse, and would allow more than one main building per lot. The existing six unit dwelling at the front of the site would be retained.

The subject lands are located within the Chesley urban settlement area on the west side of 5th Avenue, south of 2nd Street. The subject lands are approximately 0.3 hectares in size with approximately 32 metres of frontage along 5th Avenue and slopes up in grade as you approach the rear of the site. The lands are surrounded by low density residential to the south and Chesley Heritage Trail and agricultural uses to the west, low density residential and the North Saugeen River to the north and low density residential to the east. It should be noted that there is an approximately 11 m wide parcel which separates the subject property from the Chesley Heritage Trail owned by the adjacent property owner to the south. No development is proposed on that parcel of land and it remains wooded.

The northwestern corner of the site is located within the Saugeen Valley Conservation Authority regulated area.

The proposal will be developed on full municipal and water services.

Comments were received from the following agencies:

- Saugeen Valley Conservation Authority: The application is acceptable to SVCA staff.

- Historic Saugeen Metis (HSM): The Historic Saugeen Métis (HSM) Lands, Waters and Consultation Department has reviewed the relevant documents and has no opposition or objection to the proposed Zoning By-Law Amendment as presented.
- Saugeen Ojibway Nation (SON): SON confirmed that given the extensive disturbance on the site, only a very small component, if any, would benefit from an archaeological assessment. Therefore, an archaeological assessment is not required at this time but SON has advised the applicant that should any archeological resources be revealed in the future, to contact SON immediately.
- Arran-Elderslie Building Department: No comments.
- Public Works: It is expected that this proposal will require another water and sewer service connection as it is unlikely that existing services will be sufficient to service both buildings on site. The property owner will be required to pay for any upgrades that are required for their needs (if that means paying for a set of new water and sewer services) at our existing prices. Staff response: This comment will be addressed at the site plan and building permit stage.

#### **Public Comments:**

A total of eight comments were received from neighbouring landowners and the comments are attached in full. Below is a summary of the comments received:

1. There were concerns raised regarding the ownership of the adjacent rail line lands, which were illustrated as included within the property in the County's mapping.
2. There were concerns raised regarding the reduced rear yard and side yard setbacks related to privacy, overlook and trespassing.
3. There were concerns related to the appearance of the existing 6-plex on the property and garbage and recycling being left on the property for days, sometimes weeks, after collection day.
4. There were concerns related to the proposed density and suitability of a cluster townhouse on the property.
5. There were concerns related to the location of the driveway and cutting down the century old maple trees to make room for it.
6. There were concerns raised about accessing/leaving the driveway due to its slope and how these issues are further amplified during the winter months.

#### **Staff response:**

- Regarding the adjacent former rail line: we have confirmed that there was an error on the online mapping system which illustrates that this

parcel forms part of the subject property. The Zoning By-law Amendment only applies to the parcel of land owned by Mr. Becker and therefore the reduced 3.0 m setback to the rear lot line will be to the parcel of land which separates 88 5th Avenue to the rail line.

- Regarding the reduced side and rear yard setbacks: when reviewing requests to reduce the side yard setback staff typically consider whether the reduced setback will cause privacy/overlook concerns and whether there will be concerns

regarding drainage onto the adjacent property. For rear yard setbacks, we also consider whether there is sufficient amenity/open space for future residents. The existing 6-unit dwelling on the property (which is proposed to remain) is setback less than 1 metre from the property to the south and the proposed cluster townhouse will setback 1.5 metres from the property to the south and 3.0 m to the rear lot line. The suitability of the reduced yard setbacks will be evaluated in the future recommendation report once the updated grading plan has been reviewed.

- Regarding concerns about garbage and recycling pickup: these concerns cannot be addressed through the planning process as they relate to the Property Standards By-law. However, these concerns can be raised with by-law enforcement should they continue to arise. The waste management strategy for the new townhouse block will be evaluated through the future site plan approval process which will require the property owner to enter into an agreement to be registered on title and will require that they develop the property in accordance with that agreement.

- Regarding concerns about illegal activities: these concerns cannot be addressed through the planning process and should be raised with law enforcement.

- Regarding the concerns about density: The current site specific zoning permits a 6-unit dwelling on the property. The Official Plan permits townhouse and apartment dwellings on the property provided they do not exceed a density of 48

units per gross hectare. This proposal achieves a density of 34.2 units per gross hectare. When evaluating whether this medium density development should be permitted, the Official Plan requires consideration of compatibility, parking and access, buffering, sufficient open space, landscaping, grading, stormwater management and servicing. The suitability of the additional 5-unit cluster townhouse is to be evaluated in the future recommendation report, once the updated grading plan has been received.

- Regarding the concerns about the driveway location and access: The access and design of the driveway location will be further explored through the site plan approval process. At this time, there have been no concerns identified by Public Works on the proposed driveway location, slope, or access.

The Mayor asked Members of Council if they had any questions.

Councillor Steinacker asked about the change in the setback and how it affects the subject property. He also asked about the increase in density on the property as well as proposed fencing.

Councillor Penner asked about the setback on the existing building. She asked who would be maintaining the property, if Mr. Becker is planning on fixing up the existing building and are these low income apartments?

Councillor Hampton had questions regarding drainage and grading. He feels this information is required for Council to make an informed decision. Is there a plan to connect to storm water for the units?

Deputy Mayor Shaw noted that the space that remains to have outdoor enjoyment on the property appears to be very limited for future tenants. There appears to be a lot of lot coverage. She asked if there was a splash pad proposed for the property. She asked the applicant how he would respond to the concerns of Council and the neighbours. Mr. Becker noted that he will be getting a dumpster on site for garbage. The front of the building has been looking rough and he is now renovating the existing building.

Councillor Nickason asked if there was any consideration regarding the garage located next door that appears to be right on the property line.

The Mayor asked if the applicant or agent were present and wished to make a submission.

Planner Vaishnan Muhunthan, of Cuesta Planning Consultants, made a presentation to Council. He presented the proposal to Council regarding the proposed 5-plex and his planning report. Mr. Becker is looking for senior citizens as future tenants. The property is already zoned with a site specific zoning having it zoned as medium density. Public works did not have any issues with the expansion of the driveway. There will be a fence between the property and the walking trail. They will provide a revised grading and drainage plan and increasing the setback to 3 m.

The Mayor asked if any members of the public wished to make a submission either in favour or opposed to the proposed application.

Chris Warnica expressed his concerns regarding the proposed application. He are concerned about the expansion of the units on the property. By approving this project, Council will be putting the financial gains of one person over that of the community. The project will enclose his lot and increase traffic. There is no room for people to park and will be worse when there are more units on the property. The development will have a negative impact on social structure as there is little upkeep on the property and they have had to add security cameras to their property. The structure will lower the value of the surrounding properties and increase the cost of emergency services and creating a negative tax revenue.

He noted that the tenants leave more garbage out than allowed. Garbage and recycling is left out and they now burn their garbage instead. He also noted that there has only been the absolute minimum to maintain it and it does not meet property standards. There are other lots that are able to support this type of development rather than this lot.

The Mayor asked the Clerk if any written submissions had been received. The Clerk noted that correspondence had been received from Brian Phillips which was forwarded to Planner Rebecca Elphick for inclusion in her planning report.

Tyler Becker noted that that existing neighbouring garage is located closed to the existing structure and the drainage off the new build would not affect it.

Steve Young confirmed that he agreed with Mr. Warnica's concerns.

The Clerk confirmed that she had received correspondence regarding this proposal and had forwarded it to Bruce County Planning for inclusion in the planning report.

Members of Council and the public were provided a final opportunity for questions prior to the closing of the public meeting.

The Mayor declared the public meeting closed at 10:22 a.m.

Council passed the following motion:

**325-22-2023**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Hampton

Be it Resolved that Council receives the Planning Report for Tyler Becker, Zoning Application Z-2023-059 for information; and

That Council defer File Z-2023-059 to allow for the resolution of concerns related to site access, grading, and a reduced setback.

**Carried**

## **9.2 Community Improvement Plan Policy**

Mayor Hammell called the public meeting to order at 10: 35 a.m.

This is a public meeting under the Planning Act. The By-law will be brought forward to the December 11<sup>th</sup> Council meeting.

The purpose of the Community Improvement Plan (CIP) is to adopt a program that will allow for opportunities that encourage the redevelopment, revitalization and improvement of private lands throughout the entire municipality by offering a variety of financial incentives. The CIP

will apply to both settlement and rural areas of the municipality and will allow for increased access by businesses and property owners in Arran-Elderslie to municipal funding opportunities and Bruce County's Spruce the Bruce Program.

If a person or public body does not make oral submissions at a public meeting or make written submissions to The Municipality of Arran-Elderslie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Arran-Elderslie before the by-law adopting the Community Improvement Plan is passed, the person or public body is not entitled to appeal the decision of the Council of the Municipality of Arran-Elderslie to the Ontario Land Tribunal.

Jeff Loney, Economic Development Manager for Bruce County noted that the purpose of the Community Improvement Plan (CIP) is to adopt a program of financial incentives that encourage the redevelopment and improvement of private lands throughout the Municipality of Arran-Elderslie. These redevelopments and improvements aim to enhance the character of the Municipality and its traditional commercial areas.

The purpose of financial incentives is to assist businesses and property owners in the redevelopment and improvement of their properties. In turn, projects supported under the CIP will contribute towards Municipal goals defined in this policy and others.

The CIP applies to both settlement and rural areas of the Municipality. Specific financial incentives are developed to target the different needs of each of these areas. This CIP allows businesses and property owners in Arran-Elderslie to participate in Bruce County's Spruce the Bruce Program.

The Municipality can provide financial incentives within the defined Community Improvement Project Areas (CIPAs). It enables both the Municipality and Bruce County to participate in or implement future financial incentives to attract industry, encourage investment, create employment opportunities, and enhance a balanced municipal assessment base.

CAO Kirkwood noted that they have been working with Mr. Loney to wrap up this piece of work.

The Clerk confirmed that she has not received any written submissions regarding this application.



The Mayor asked if any Council members have final questions before closing the public meeting.

Deputy Mayor Shaw thanked Mr. Loney for all his work. If Council choses to act on the programs, they would still be subject to by-law and zoning guidelines.

Councillor Nickason asked about the minimum value of a grant at \$1,000 and how it is decided.

Councillor Hampton asked about street signs being faded.

Mayor Hammell declared the public meeting closed at 10:55 a.m.

#### 9.2.1 SRECDEV.2023.03 Municipal Community Improvement Plan Update

Economic Development and Communication Coordinator, Jess Pridham, discussed her report with Council.

Subsequent to further discussion, Council passed the following resolution:

#### **326-22-2023**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Hampton

Be It Resolved that Council hereby,

1. Approve and adopt the Community Improvement Plan Policy and that an implementing Bylaw be prepared and brought forward to Council and that By-Laws 37-2014 and 38-2014 be rescinded.

**Carried**

## **10. Delegations**

### **10.1 FoodCycler - Farah Sherifdeen**

Farah Sherifdeen, Municipal Program Coordinator for Food Cycle Science gave her presentation to Council.

They have over 100 municipal partners including Arran-Elderslie. With support from Impact Canada's Food Waste Reduction Challenge, a pilot program was run in Arran-Elderslie that included 62 participating households subsidized by the Municipal Innovation Council, with support from Bruce Power. This was part of a larger County-wide program initiated by the MIC that included 880 participating households. The net cost to the Municipality of Arran-Elderslie was \$0. The program ran from May –

August 2023. Usage was tracked for 12 weeks to calculate total waste diversion. Participants completed a survey to provide data and feedback.

From the data collected there was an equivalent to ~288 kg/year/household with a total of 17.8 metric tonnes (MT) of food waste diverted from landfill/year from 32 FoodCyclers in use.

Council thanked Ms. Sheriffdeen for her presentation.

**11. Presentations**

**12. Correspondence**

**12.1 Requiring Action**

**12.1.1 Light Up Blue Campaign - Alzheimer Society of Grey Bruce**

Council directed staff to light up Big Bruce for the month of January and to have a flag flown for the month as well.

**12.1.2 MMEWG Letter Re: Battery Energy Storage Systems**

Council directed staff inquire about a representative attending a future Council meeting.

**12.2 For Information**

Subsequent to further discussion, Council passed the following resolution:

**327-22-2023**

**Moved by:** Councillor Steinacker

**Seconded by:** Councillor Nickason

Be It Resolved that the Council of the Municipality of Arran-Elderslie receives, notes, and files correspondence on the Council Agenda for information purposes.

**Carried**

**12.2.1 Grey Bruce Public Health Media Release - Radon Testing**

**12.2.2 AMO Policy Update**

**12.2.3 Grey Sauble Conservation Authority Board Minutes - October 25, 2023**

**12.2.4 Grey Bruce Public Health Media Release**

**12.2.5 MMEWG Letter to the IESO Re: Municipal Support Across Municipal Boundaries**

**12.2.6 MMEWG Letter Re: Grey Highlands Resolution regarding Battery Energy Storage Systems**

## **13. Staff Reports**

### **13.1 CAO/Clerks**

#### **13.1.1 SRDPCLK.23.08 2024 Fees and Charges By-Law**

Deputy Clerk, Julie Hamilton, responded to questions from Members of Council.

Subsequent to further discussion, Council passed the following resolution:

**328-22-2023**

**Moved by:** Deputy Mayor Shaw

**Seconded by:** Councillor Nickason

Be It Resolved that Council hereby,

1. Approve the recommended changes to the Fees and Charges as attached as Appendix A; and
2. Direct Staff to prepare a by-law to establish Fees and Charges for 2024.

**Carried**

### **13.2 Finance**

### **13.3 Public Works**

### **13.4 Building/Bylaw**

### **13.5 Facilities, Parks and Recreation**

### **13.6 Emergency Services**

#### **13.6.1 SR.FIRE.23.08 Community Emergency Preparedness Grant**

Fire Chief, Steve Tiernan, responded to questions from Members of Council.

**329-22-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Hampton

Be It Resolved that Council hereby supports the submission of an application to receive funding from the Community Emergency Preparedness Grant for the purchase of a Public Service DJI Matrice 30T drone.

### **13.7 Economic Development and Planning**

#### **14. Notice of Motion**

#### **15. Members Updates**

##### Shaw:

Deputy Mayor Shaw

She will attend the Tara Santa Parade this Saturday and Late Night Social this Friday in Paisley.

##### Hampton:

Councillor Hampton will attend the Chesley Santa Parade this Friday. He has received some complaints about faded street signs.

##### Dudgeon:

Councillor Dudgeon was not in attendance.

##### Steinacker:

Councillor Steinacker attended the Santa Clause Parade and will attend the Tara Santa Clause Parade. The Hamilton Street project is now finished and it looks great.

##### Penner:

Councillor Penner attended the Paisley Santa Clause Parade.

##### Nickason:

Councillor Nickason attended the MMEWG meeting last Thursday and will attend a BASWRA meeting this Thursday and will request them to attend a meeting in the new year to provide details on the new recycling program.

##### Hammell:

Mayor Hammell attended the Chesley Legion Supper, the Paisley Santa Clause Parade, and will attend both Chesley and Tara Santa Parades this weekend and he also attended the Paisley Fire Christmas Party to present the long service awards.

#### **16. New Business**

#### **17. By-laws**

##### **17.1 By-law 61-2023 - Appoint an Interim Treasurer**

Subsequent to further discussion, Council passed the following resolution:

**330-22-2023**

**Moved by:** Councillor Hampton

**Seconded by:** Councillor Nickason

Be It Resolved that By-law No. 61-2023 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 61-2023 being a By-law to appoint David Munro as an Interim Treasurer for the Municipality of Arran-Elderslie.

**Carried**

- 18. Closed Session (if required)**
- 19. Resolution to Reconvene in Open Session**
- 20. Adoption of Recommendations Arising from Closed Session (If Any)**
- 21. Adoption of Closed Session Minutes**
- 22. Confirming By-law**

Subsequent to further discussion, Council passed the following resolution:

**331-22-2023**

**Moved by:** Councillor Penner

**Seconded by:** Councillor Hampton

Be It Resolved that By-law No. 62-2023 be introduced and read a first, second and third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

By-law 62-2023 being a By-law to confirm the proceedings of the Regular Council meeting of the Municipality of Arran-Elderslie held Monday, November 27, 2023.

**Carried**

- 23. Adjournment**

Subsequent to further discussion, Council passed the following resolution:

**332-22-2023**

**Moved by:** Councillor Nickason

**Seconded by:** Councillor Hampton

Be It Resolved that the meeting be adjourned to the call of the Mayor at 12:25 p.m.

**Carried**

**24. List of Upcoming Council meetings**

- December 11, 2023
- January 8, 2024
- January 29, 2024

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Steve Hammell, Mayor

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Christine Fraser-McDonald, Clerk